

Remarks

This amendment, responsive to the Office Action of June 6, 2000, amends claims 1, 13, 14, 15, and 19; and adds new claim 26.

Applicant reserves the right to later address or rebut any of the Examiner's direct or tacit assertions or characterizations of the references in this Action, to the extent the following remarks do not.

Response to 103 Rejections

In the Action, the Examiner rejected claims 1-21 and 25 under 35 U.S.C. 103(a) as obvious over the Mastering Microsoft Office 97 (Office 97). Applicant traverses as detailed below.

In rejecting claim 1, the Examiner conceded that Office 97 does not display the predetermined file-container icon on the primary screen, but argues that it would have been obvious "to implement the displaying of the "My Documents" icon on the primary screen ... for providing easy access to the "My Document" icon. However, applicant submits that the general motivation of providing easy access by itself is insufficient to lead one to make the highly specific modification that the Examiner proposes. Indeed, if this motivation is at all viable, it appears to suggest that one should place every icon on the primary screen, not just the "My Document" icon. Would it not be desirable to have easy access to every feature or resource in a computer system? Thus, in selectively applying the general motivation of providing easy access to the "My Document" icon, the Examiner appears to have relied on an impermissible degree of hindsight.

Moreover, there is no suggestion in the cited art of a need for easier access to the "My Documents" icon. To the contrary, the cited art states, on page 24, that "My Computer, which is located on your desktop, gives you easy access to your *local resources* (the ones available on your machine)." Thus, at least this portion of the cited art appears to suggest that there is no need for taking measures to provide easy access to local resources, since My Computer has already done it. Accordingly, the asserted motivation of providing easy access to the "My Document" icon appears insufficient to establish a prima facie case of obviousness based on Office 97.

Additionally, applicant has amended claim 1 to require “one or more file-operation dialog boxes ... which are defined independent of the application programs to specify a file container associated with the predetermined file-container icon as a default document container for files related to the application programs.” Relatedly, the Action references page 759 of the Office 97 materials, which indicates that My Documents “is the default location to which the Office applications save.” However, page 358 of the Office 97 materials state that “[w]hen Word is installed, a folder called My Documents is created and is used as the default location for your documents.” (See, also, applicant’s background at page 2, line 29 – page 3, line 14.) In other words, the existence of My Documents in Office 97 appears dependent on the Word application program. Thus, in addition to failing to display the predetermined icon on the primary screen, Office 97 also fails to define “one or more file-operation dialog boxes ... independent of the application programs to specify a file container associated with the predetermined file-container icon as a default document container for files related to the application programs.”

Claim 6 also distinguishes from Office 97. Claim 6 requires “an operating system which defines the predetermined file-storage container as a default file-storage container on file-operation dialog windows accessible by application programs.” In contrast, the Office 97 materials indicate that the My Documents folder is created as part of the installation of Word, not by the operating system itself. (Page 358 of the Office 97 materials.) Accordingly, applicant requests withdrawal of the rejection of claim 6.

Claim 13 and 14, as amended, require “a computer program executed by the processor from the memory to provide a predetermined file-storage folder as a default folder on file operation dialog boxes accessible by application programs, wherein the file operation dialog boxes are defined independent of the one or more computer application programs. In contrast, Office 97 creates its My Documents folder upon installation of the Word application program. Thus, at a minimum it does not appear that Office 97 meets the “independent” requirement of claims 13 and 14.

Claims 15, 16, 17-18 are also believed to distinguish from Office 97. In particular, claim 15 requires “one or more file-management modules defined to provide a default file-storage folder to one or more computer application programs, wherein the

file-management modules are defined independent of the one or more computer application programs.” Claim 16 requires “one or more dialog windows defined to display information identifying a document folder communicated via the operating system to one or more applications as a default storage folder.” Claims 17 and 18 require “file open and save dialog windows defined to display a selection for a document folder promoted via the operating system as a default storage folder to one or more application programs that access the file open and save dialog windows.” Accordingly, applicant respectfully requests withdrawal of the rejection of these claims as well.

Claim 12 requires “determining whether one of the applications has specified a folder for storing files related to the one application; determining whether the one application has redirected file storage from the folder to a current folder; determining whether files within the current folder are of one or more particular types; and automatically setting a default folder for storing files related to the one application, provided that the one application has not specified a folder for storing files, that the application has not redirected file storage to the current folder, and that no file stored within the current folder is of the one or more particular types.” And, claim 25 requires “means for determining whether one of the applications has specified a folder for storing files related to the one application; means for determining whether the one application has redirected file storage from the folder to a current folder; means for determining whether files within the current folder are of one or more particular types; and means for automatically setting a default folder for storing files related to the one application, provided that the one application has not specified a folder for storing files, that the application has not redirected file storage to the current folder, and that no file stored within the current folder is of the one or more particular types.

The Examiner has not identified with specificity how the Office 97 materials perform the recited acts or functions in these claims. From applicant’s vantage, there appears to be nothing in the Office 97 materials, which meets all the requirements of these claims. In fact, as already noted, Office 97 creates the My Documents folder upon installation of the Word application program and appears to present it as a default storage folder for Word as a matter course, without making the determinations recited in claim 12

and claim 25. Accordingly, applicant requests withdrawal of the rejection of these claims.

Claims 19 and 20, as amended, require “a most-recently-used file menu defined to display links to one or more most-recently-used files and to one or more document folders.” In contrast, Figure 6.2 of the Office 97 materials, which the Examiner referenced in the Action, shows only links to files, not links to files and links to document folders. Accordingly, applicant respectfully requests withdrawal of the rejection of these claims.

Claim 21 requires “a desktop that provides access to a predetermined file-storage container and to one or more application programs; and one or more file-operations windows accessible by application programs, wherein each file-operations window includes a link to the desktop.” In contrast, Figure 6.2 of the Office 97 materials, which the Examiner cited in the Action as showing a desktop link, shows only links to files. There is no link to the desktop. Accordingly, applicant respectfully requests withdrawal of the rejection of this claim.

CONCLUSION

In view of the amended claims and highlighted deficiencies of the cited art, applicant respectfully requests reconsideration of the application.

RECEIVED

AUG 23 2000

TC 2700 MAIL ROOM

Moreover, applicant invites the Examiner to call its patent counsel Eduardo Drake at (612) 349-9593 to resolve any remaining issues that may impede allowance. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.



Respectfully submitted,

JON R. BERRY ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER &
KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(612) 349-9593

Date

17 Aug 2000

By

Eduardo E. Drake
Reg. No. 40,594

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents, Washington, D.C. 20231 on August 17, 2000.

Name

Eduardo E. Drake

Signature

[Signature]